

**THIRD AMENDED  
APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER  
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF  
NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office \_\_\_\_\_ ~~DEC 09 2002~~ **JUL 19 2005** NEW PRIORITY DATE:  
Returned to applicant for correction \_\_\_\_\_ **JAN 16 2003**  
Corrected application filed \_\_\_\_\_ **MAR 27 2003**  
Map filed \_\_\_\_\_ **MAR 27 2003**

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The applicant **JOHN T. WASSERBURGER, TRUSTEE OF JOHN T. WASSERBURGER TRUST**, hereby make application for permission to change the **Place of Use, Manner of Use and point of diversion of portion of water heretofore appropriated under PROOF V-07479 (8<sup>th</sup> Judicial Court, County of Clark, Nevada. Decree Dec. 13, 1999. Priority 1912 (irrigation).**

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1. The source of water is **Underground Source (Las Vegas Valley, Clark County, Nevada)**
2. The amount of water to be changed **1.0 acre ft.**
3. The water to be used for **quasi-municipal purposes**
4. The water heretofore permitted for **domestic, stock and irrigation purposes**
5. The water is to be diverted at the following point located in the **NW¼ of the SE¼ of Section 29, T.19S., R.60E., M.D.B.M., from which the C ¼ cor. of said Section 29, bears N 41°41'16" W a distance of 1270.33 ft.**
6. The existing permitted point of diversion is located within **NE¼ of NW¼ of Section 6, T.22S., R.62E., M.D.B.M., Clark County, Nevada from which the NW 1/16 corner of said Section 6 bears S 23°33'30" W, a distance of 605.64 ft. from the original well location. (PROOF V-07479)**
7. Proposed place of use **NW¼ of SE¼ of Section 29, T.19S., R.60E., M.D.B.&M., Clark County, Nevada.**
8. Existing place of use **NE¼ of NW¼ of Section 6, T.22S., R.62E., M.D.B.M., Clark County, Nevada. (Divert 1.0 acre ft. for quasi-municipal purposes) (0.20 acre)**
9. Use will be from **Jan. 1 to Dec. 31** of each year.
10. Use was permitted from **Jan. 1 to Dec. 31** of each year.
11. Description of proposed works for construction of a **single family residence on Parcel 1 as shown on that certain Parcel Map in File 66, Page 6, Official Records of Clark County, Nevada (dated 8-23-1990)**
12. Estimated cost of works **\$10,000.00**
13. Estimated time required to construct works with **one year (divert 1.0 acre ft. of water into existing well permit #64413 to be used for proposed new residence on site described in item #11 above)**
14. Estimated time required to complete the application of water to beneficial use **one year**

15. Remarks: **Construct a new single family residence on said Parcel 2 (item No. 11)**

By **Russell Avery, Agent**  
**s/Russell Avery**  
**P.O. Box 15146**  
**Las Vegas, Nevada 89114**

Compared cmf/cac lb/cmf

Protested \_\_\_\_\_

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APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, place of use and manner of use of a portion of the waters of an underground source as heretofore granted under Proof of Appropriation V-07479 is issued subject to the terms and conditions imposed in said Proof of Appropriation V-07479 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

Permit 69376 is granted to provide commercial water service to one lot described by Clark County Assessor's Parcel Number 125-29-706-005.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.0025 cubic feet per second, **but not to exceed 1.0 acre-feet annually.**

Work must be prosecuted with reasonable diligence and be completed on or before:

N/A

Proof of completion of work shall be filed on or before:

N/A

Water must be placed to beneficial use on or before:

February 12, 2005

Proof of the application of water to beneficial use shall be filed on or before:

March 12, 2005

Map in support of proof of beneficial use shall be filed on or before:

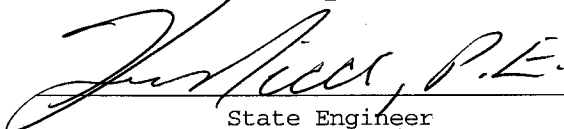
N/A

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 4th day of September, A.D. 2003

  
State Engineer

Completion of work filed May 2, 2001 under 64413

Proof of beneficial use filed \_\_\_\_\_

Cultural map filed N/A

Certificate No. \_\_\_\_\_ Issued \_\_\_\_\_

~~CANCELLED JUN 02 2005 BECAUSE OF FAILURE OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT~~  
~~Hugh Ricci, P.E.~~  
~~Can. Rescinded 2/7/06~~ STATE ENGINEER ~~dam~~